UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,622	05/31/2001	Scott J. Broussard	AUS920010260US1	1783

35617 7590 02/04/2009

DAFFER MCDANIEL LLP
P.O. BOX 684908
AUSTIN, TX 78768

EXAMINER	
BONSHOCK, DENNIS G	
ART UNIT	PAPER NUMBER
2173	

MAIL DATE	DELIVERY MODE
02/04/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/870,622	BROUSSARD, SCOTT J.	
	Examiner	Art Unit	
	DENNIS G. BONSHOCK	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 October 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *12-4-06; ; 10-30-06 [1]; 10-30-06 [2]*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

Non-Final Rejection

Response to Amendment

It is hereby acknowledged that the following papers have been received and placed on record in the file: RCE as received on 10-30-2008.

Claims 1-17 have been examined.

Status of Claims:

Claims 1-3, 9-11, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Navare et al., Publication Number: 2002/0133630, hereinafter Navare.

Claims 4-6 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Navare et al., Publication Number: 2002/0133630, hereinafter Navare, as applied to claims 1, 9, and 17 above, and further in view of *Introducing Swing*, written by SUN, hereinafter is-SUN.

Claims 7, 8, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Navare et al., Publication Number: 2002/0133630, hereinafter Navare as applied to claims 1, 9, and 17 above, and further in view of *Mixing heavy and light components* written by Amy Fowler, hereinafter m-SUN.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an

international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 9-11, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Navare et al., Publication Number: 2002/0133630, hereinafter Navare.

3. With regard to claim 1, which teaches a system for graphical display of an object created by an application program running under an operating system, comprising: a graphics resource component adapted to display the object independently of the operating system; Navare teaches a system in which an application proxy [213] (graphics resource component) delivers output to the display (see paragraph 16) responsive to information received from different operating system (see claim 1). With regard to claim 1, which teaches a proxy component, which associates the object with the graphics resource component and invokes methods of the graphics resource component to display the object; Navare teaches a proxy interface [208] (proxy component) that cooperates with the application proxy [213] to display the object (see paragraphs 11, 12, and 16). With regard to claim 1, which teaches a peer component, adapted to receive events pertaining to the object and route the events to the proxy component, Navare teaches a application program [220] that receives input (events) and sends them to the proxy interface [208] (see paragraphs 15 and 16).

4. With regard to claims 2 and 10, which teach a system in which the peer component is independent of the operating system, and emulates the behavior of a second peer component that employs the windowing system of the operating systems, Navare teaches, in claim 1 and paragraphs 15 and 16, application program [220] being

independent of the operating system of the client, as the display properties come from the server, yet emulating the client system.

5. With regard to claims 3 and 11, which teach that the object is part of a graphical user interface associated with the application program, Navare teaches, in paragraph 2, the object being part of the GUI.

6. With regard to claim 9, which teaches a method for graphical display of an object created by an application program running under an operating system, comprising: utilizing a graphics resource component adapted to display the object independently of the windowing system of the operating system; Navare teaches a system in which an application proxy [213] (graphics resource component) delivers output to the display (see paragraph 16) responsive to information received from different operating system (see claim 1). With regard to claim 9, which teaches creating a proxy component and establishing an association between the object and the graphics resource component via the proxy component; Navare teaches a proxy interface [208] (proxy component) that cooperates with the application proxy [213] to display the object (see paragraphs 11, 12, and 16). With regard to claim 9, which teaches receiving events pertaining to the object in a peer component and routing them to the proxy component; Navare teaches a application program [220] that receives input (events) and sends them to the proxy interface [208] (see paragraphs 15 and 16).

With regard to claim 9, which teaches in response to the events, invoking methods of the graphics resource component via the proxy component to display the object, Navare

teaches a proxy interface [208] (proxy component) that cooperates with the application proxy [213] to display the object (see paragraphs 11, 12, and 16).

7. With regard to claim 17, which teaches a computer-readable storage device, comprising: a windows-based operating system; an application program running under the operating system; Navare teaches a computer readable storage comprising an operating system for displaying GUI content and an application running under an operating system (see paragraphs 9 and 15 and figure 2). With regard to claim 17, which teaches a graphics resource component adapted to display an object created by the application program independently of the windowing system of the operating system, Navare teaches a system in which an application proxy [213] (graphics resource component) delivers output to the display (see paragraph 16) responsive to information received from different operating system (see claim 1). With regard to claim 17, which teaches creating a proxy component and establishing an association between the object and the graphics resource component via the proxy component; Navare teaches a proxy interface [208] (proxy component) that cooperates with the application proxy [213] to display the object (see paragraphs 11, 12, and 16). With regard to claim 17, which teaches receiving events pertaining to the object in a peer component and routing them to the proxy component; Navare teaches a application program [220] that receives input (events) and sends them to the proxy interface [208] (see paragraphs 15 and 16). With regard to claim 17, which teaches in response to the events, invoking methods of the graphics resource component via the proxy component to display the

object, Navare teaches a proxy interface [208] (proxy component) that cooperates with the application proxy [213] to display the object (see paragraphs 11, 12, and 16).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 4-6 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Navare et al., Publication Number: 2002/0133630, hereinafter Navare, as applied to claims 1, 9, and 17 above, and further in view of *Introducing Swing*, written by SUN, hereinafter is-SUN.

10. With regard to claims 4 and 12, which teach that the look and feel of a graphical user interface is independent of the operating system, Navare teaches using a different UI program on a different machine to develop the UI (supra), but doesn't specifically the look and feel being independent of the OS. IS-SUN teaches a system in which program components are executed on different operating systems with without any modification of any kind (see page 1 of IS-SUN), similar to that of Navare, and IS-SUN further teaches, in page 1, paragraph 5, using the component "Metal" in Java Swing for the same look and feel regardless of what operating system it is running on. It would have been obvious to one of ordinary skill in the art, having the teachings of Navare and IS-SUN before him at the time the invention was made to modify the resultant display of

Navare to have the same look and feel regardless of the OS used. One would have been motivated to make such a combination because this would allow for a consistent look and feel regardless of the OS being used, causing the UI of the developers choice to be more portable.

11. With regard to claims 5 and 13, which teach the application program being written in JAVA programming language, Navare teaches using a different UI program on a different machine to develop the UI (supra), but doesn't specifically the application program being written in JAVA. IS-SUN teaches a system in which program components are executed on different operating systems with without any modification of any kind (see page 1 of IS-SUN), similar to that of Navare, and IS-SUN further teaches, in page 2, paragraph 7, programmers writing GUIs for there JAVA programs. It would have been obvious to one of ordinary skill in the art, having the teachings of Navare and IS-SUN before him at the time the invention was made to modify the resultant display of Navare to use Java for the application program. One would have been motivated to make such a combination because Java further allows for portability across platforms.

12. With regard to claims 6 and 14, which teach the proxy extends an existing class of software components belonging to the swing application program interface, Navare teaches using a different UI program on a different machine to develop the UI (supra), but doesn't specifically the application program interface being swing. IS-SUN teaches a system in which program components are executed on different operating systems with without any modification of any kind (see page 1 of IS-SUN), similar to that of

Navare, and IS-SUN further teaches, in page 1, paragraph 5 and page 6, paragraphs 1-5, that Metal is an extension of Swing. It would have been obvious to one of ordinary skill in the art, having the teachings of Navare and IS-SUN before him at the time the invention was made to modify the resultant display of Navare to use Java Swing API. One would have been motivated to make such a combination because Java Swing further allows for portability across platforms (see page 1, paragraphs 3 and 4 of IS-SUN).

13. Claims 7, 8, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Navare et al., Publication Number: 2002/0133630, hereinafter Navare as applied to claims 1, 9, and 17 above, and further in view of *Mixing heavy and light components* written by Amy Fowler, hereinafter m-SUN.

14. With regard to claims 7 and 15, which teach the object being part of a layout, and the association of the object with the graphics resource component establishes a parent-child relationship between the layout and the graphics resource component, Navare teaches using a different UI program on a different machine to develop the UI (supra), but doesn't specifically teach object being part of a layout, and the association of the object with the graphics resource component establishes a parent-child relationship between the layout and the graphics resource component. M-SUN teaches the use of JAVA for display on different platforms and further teaches in page 3, paragraph 4 and in page 4, paragraph 2, a parent child relationship between the object/layout and the graphical resource component in which mouse events of

lightweight components fall through to the parent and mouse events on a heavyweight component do not fall through. It would have been obvious to one of ordinary skill in the art, having the teachings of Navare and M-SUN before him at the time the invention was made to modify the resultant display of Navare to use overlapping scheme of Java. One would have been motivated to make such a combination because overlapping elements in a GUI window is eminent and a scheme for handling such overlap need exist and additionally Java further allows for portability across platforms.

15. With regard to claims 8 and 16, which teach the parent-child relationship between the layout containing the object and the graphics resource component allows the graphics resource component to draw over an existing image of the object drawn with the aid of the windowing system of the operating system, M-SUN further teaches, in page 4, paragraph 2 and page 6, paragraph 2 and the following picture, that if heavyweight components are used it is possible for them to obscure what is drawn by the windowing system of the operating system.

Response to Arguments

The arguments filed on 10-30-2008 have been fully considered but they are not persuasive. Reasons set forth below.

Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DENNIS G. BONSHOCK whose telephone number is (571)272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dennis G. Bonshock/
Primary Examiner, Art Unit 2173
1-28-09
dgb